

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Lazeriah Jones,

Case No.: 2:24-cv-02354-JAD-NJK

Plaintiff

v.

**Order Dismissing
and Closing Case**

Polk, et al.,

Defendants

Plaintiff Lazeriah Jones brings this civil-rights lawsuit to redress constitutional violations that she claims she suffered while incarcerated at Florence McClure Women’s Correctional Center. On October 1, 2025, this court ordered Jones to update her address by November 1, 2025.¹ That deadline expired without an updated address from Jones.

District courts have the inherent power to control their dockets and “[i]n the exercise of that power, they may impose sanctions including, where appropriate . . . dismissal” of a case.² A court may dismiss an action based on a party’s failure to obey a court order or comply with local rules.³ In determining whether to dismiss an action on one of these grounds, the court must consider: (1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to

¹ ECF No. 8.

² *Thompson v. Hous. Auth. of City of L.A.*, 782 F.2d 829, 831 (9th Cir. 1986).

³ *See Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988) (affirming dismissal for failure to comply with local rule requiring pro se plaintiffs to update their address); *Malone v. U.S. Postal Serv.*, 833 F.2d 128, 130 (9th Cir. 1987) (affirming dismissal for failure to comply with court order).

1 manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring
2 disposition of cases on their merits; and (5) the availability of less drastic alternatives.⁴

3 The first two factors, the public's interest in expeditiously resolving this litigation and the
4 court's interest in managing its docket, weigh in favor of dismissing Jones's claims. The third
5 factor, risk of prejudice to defendants, also weighs in favor of dismissal because a presumption
6 of injury arises from the occurrence of unreasonable delay in filing a pleading ordered by the
7 court or prosecuting an action.⁵ The fourth factor—the public policy favoring disposition of
8 cases on their merits—is greatly outweighed by the factors favoring dismissal.

9 The fifth factor requires the court to consider whether less drastic alternatives can be used
10 to correct the party's failure that brought about the need to consider dismissal.⁶ Courts “need not
11 exhaust every sanction short of dismissal before finally dismissing a case, but must explore
12 possible and meaningful alternatives.”⁷ Because this action cannot realistically proceed without
13 the ability for the court and the defendants to send Jones case-related documents, filings, and
14 orders, the only alternative is to enter a second order setting another deadline. But without an
15 updated address, the likelihood that the second order would even reach Jones is low, so issuing a
16 second order will only delay the inevitable and further squander the court's finite resources.
17 Setting another deadline is not a meaningful alternative given these circumstances. So the fifth
18 factor favors dismissal.

20 ⁴ See *In re Phenylpropanolamine Prod. Liab. Litig.*, 460 F.3d 1217, 1226 (9th Cir. 2006)
(quoting *Malone*, 833 F.2d at 130).

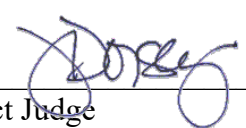
21 ⁵ See *Anderson v. Air West*, 542 F.2d 522, 524 (9th Cir. 1976).

22 ⁶ See *Yourish v. Cal. Amplifier*, 191 F.3d 983, 992 (9th Cir. 1999) (explaining that considering
23 less drastic alternatives before the party has disobeyed a court order does not satisfy this factor);
accord Pagtalunan v. Galaza, 291 F.3d 639, 643 & n.4 (9th Cir. 2002).

⁷ *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986).

1 Having thoroughly weighed these dismissal factors, I find that they weigh in favor of
2 dismissal. IT IS THEREFORE ORDERED that **THIS ACTION IS DISMISSED** without
3 prejudice based on Jones's failure to file an updated address in compliance with this court's
4 October 1, 2025, order. The Clerk of Court is directed to **ENTER JUDGMENT** accordingly
5 and **CLOSE THIS CASE**. If Jones wishes to pursue her claims, she must file a complaint and
6 provide the court with her current address in a new case.

7 Dated: December 3, 2025

8 
9 _____
10 U.S. District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23